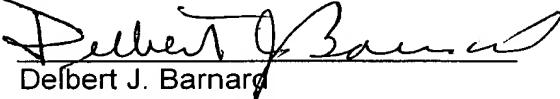




AF 13643
JFW

PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 12, 2004.


Delbert J. Barnard
Registration No. 20,515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3643

Examiner: David J. Parsley

Applicant: David G. Sasuga

Ser. No.: 09/919,469

Filed: July 31, 2001

For: METHOD OF PACKAGING OF EDIBLE PLANTS

Date: November 12, 2004

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-compliant Amendment dated October 29, 2004.

Enclosed is a Substitute Amendment After Appeal to replace the non-compliant amendment that was filed on September 24, 2004. The substitute

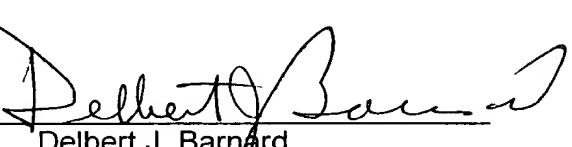
amendment starts the REMARKS section on a separate page.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 02-0915.

Respectively submitted,

David G. Sasuga

By:

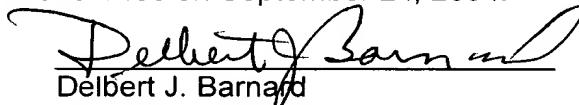

Delbert J. Barnard
Attorney for Applicant
Registration No. 20,515
(206) 381-3100

DJB/kb



PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 24, 2004.


Delbert J. Barnard
Registration No. 20,515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3643

Examiner: David J. Parsley

Applicant: David G. Sasuga

Ser. No.: 09/919,469

Filed: July 31, 2001

For: METHOD OF PACKAGING OF EDIBLE PLANTS

Date: November 12, 2004

SUBSTITUTE AMENDMENT AFTER APPEAL

Mail Stop AF
No Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 24, 2004, relating to the above-identified application, kindly amend the application as follows. In the claims cancel claims 1 – 4, 7, 8, 10, 12, 14 and 15. Rewrite dependent claims 5, 9 and 11 in independent form, as set forth in the List of Claims which follow.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/919,469

Filing Date July 31, 2001

First Named Inventor David G. Sasuga

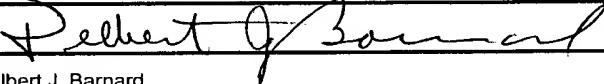
Art Unit 3643

Examiner Name David J. Parsley

Attorney Docket Number Sasuga

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Barnard, Loop & McCormack		
Signature			
Printed name	Delbert J. Barnard		
Date	November 12, 2004	Reg. No.	20,515

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
Typed or printed name	Kelly Barnard
Date	November 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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